

# Flathead County

## Planning & Zoning

1035 1<sup>st</sup> Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210

### CONDITIONAL USE PERMIT APPLICATION

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 728.

#### PROPOSED USE (as described in the Flathead County Zoning Regulations):

Drive Thru Espresso

#### OWNER(S) OF RECORD:

Name: Daniel Scheffer / Melody Watts Phone: \_\_\_\_\_

Mailing Address: 4899 Hwy 93 N

City, State, Zip Code: Whitefish MT 59937

Email: \_\_\_\_\_

#### PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: Mark Rhodes Phone: 406 885-3004

Mailing Address: Box 445

City, State, Zip Code: Kula MT 59920

Email: Amy Rhodes@myway.com

#### LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street Address: 4885 Hwy 93 S, Whitefish S 25 T 30 R 22

Subdivision Name: Happy Valley Homesites Tract No(s). \_\_\_\_\_ Lot No(s). 286 Block No. \_\_\_\_\_

#### 1. Zoning District and Zoning Classification in which use is proposed:

B-1 County

#### 2. Attach a plan that includes drawings & texts of the affected lot and how the following items correspond to it:

##### A. Site Suitability.

The site is suitable for the use. This includes:

- (1) adequate usable space
- (2) adequate access
- (3) absence of environmental constraints



**B. Appropriateness of Design.**

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme
- (2) traffic circulation
- (3) open space
- (4) fencing, screening
- (5) landscaping
- (6) signage
- (7) lighting

**C. Availability of Public Services and Facilities**

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

- (1) sewer
- (2) water
- (3) storm water drainage
- (4) fire protection
- (5) police protection
- (6) streets

**D. Immediate Neighborhood Impact**

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

- (1) excessive traffic generation
- (2) noise or vibration
- (3) dust, glare or heat
- (4) smoke, fumes, gas, or odors
- (5) inappropriate hours of operation

3. The following proposed uses shall meet additional requirements as outlined in the Flathead County Zoning Regulations and require consultation with a staff planner PRIOR to application submittal:

- 4.01 Animal Hospitals, Kennels, Animal Shelters, Veterinary Clinics
- 4.02 Bed and Breakfast Establishments/Boarding Houses
- 4.03 Camp or Retreat Center
- 4.04 Caretaker's Facility in AG, SAG, and R-1 Districts
- 4.05 Cluster Housing Development in Residential Districts
- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses

Consultation with Planner:

Date \_\_\_\_\_

Planner's Signature \_\_\_\_\_

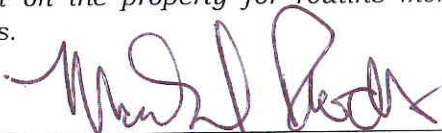
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**INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:**

1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures shown, and distances from each other and from the property line. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.

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*I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.*



Applicant Signature

3-30-10

Date



A. Site Suitability.

1. Lot is a 125' x 170' vacant lot. Espresso stand is 12' x 24'. Majority of property will remain unused, other than for car stacking and employee parking (max 2 employees).
2. Lot has state approved access off Hwy 93 in two locations.
3. Lot is vacant and has no known environmental constraints.

B. Appropriateness of Design.

1. Parking will have required spaces for employees (see plan).
2. Circulation note (see plan).
3. There will be a large green area behind stand (see plan).
4. A six foot privacy fence will be built on western boundary.
5. Decorative landscaping will divide right-of-way from driving lanes.
6. Existing sign base will support eight foot wide sign. We will utilize maximum allowable square footage of signage
7. Lighting will conform to county regulations.

C. Availability of Public Services and Facilities

1. Existing sewer system was designed by WMW Engineering to support business larger than one proposed (see enclosed septic drawing).
2. Water is Happy Valley water district.
2. Storm water drains to existing barrow pit.
3. Fire protection is Whitefish rural fire department (note: hydrant 400 feet to the east).
4. Police protection is Flathead County Sheriff Office.
5. All Streets are paved in surrounding area.

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D. Immediate Neighborhood Impact.

1. No new traffic will be generated. We will be drawing from the traffic that exists from the highway, neighboring store, and local community.
2. Business will not contribute additional noise.
3. Driving areas will be paved to control dust. Six foot privacy fence on west boundary to minimize glare from head lights.
4. Business will not significantly contribute additional smoke, fumes, gas, or odors
5. Hours of operation will be from 6:00 a.m. to 11:00 p.m. (in reality, 6:00am-6:00pm).

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